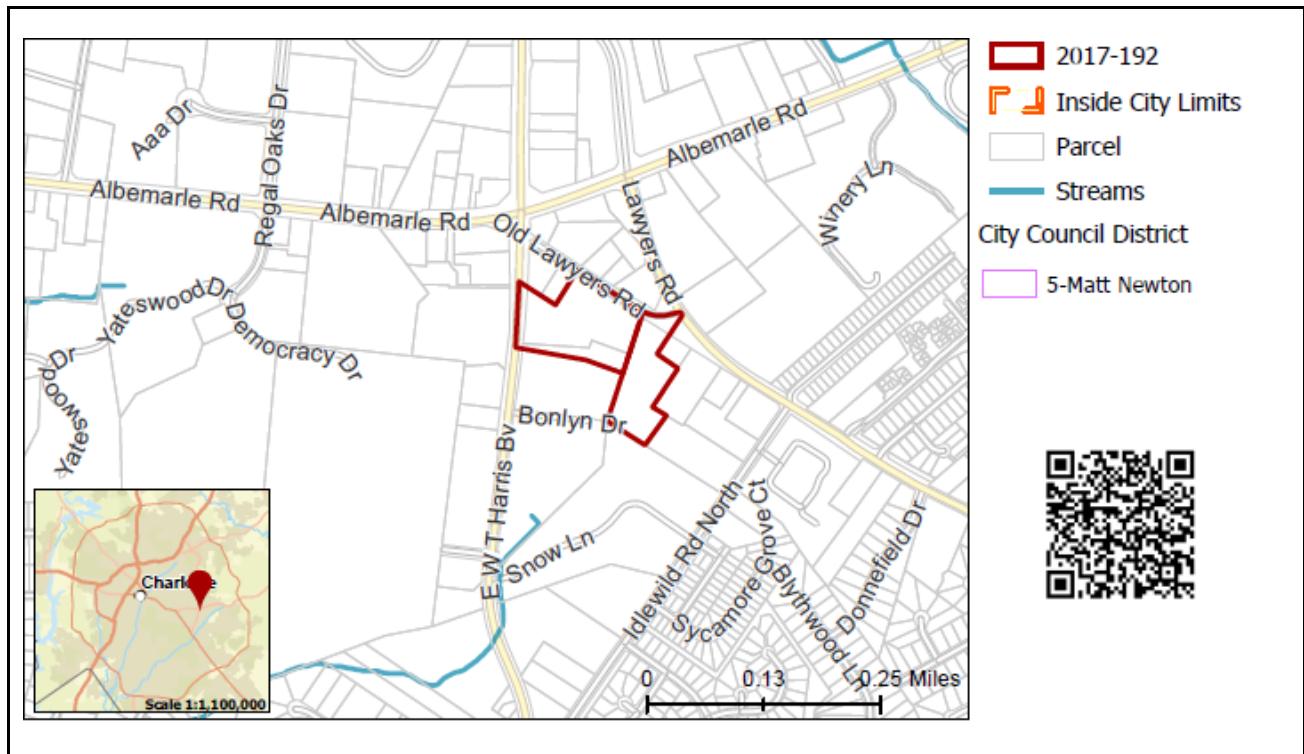


REQUEST

Current Zoning: B-1SCD (shopping center) and O-1 (office)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 8.70 acres located on the east side of East W.T. Harris Boulevard, west of Old Lawyers Road, south of Albemarle Road.
(Council District 5 - Newton)



SUMMARY OF PETITION

The petition proposes to redevelop the site to allow 180 multi-family residential dwelling units, at a density of 20.68 units per acre.

PROPERTY OWNER

Paul A. Scoggins

PETITIONER

C4 Investments, LLC

AGENT/REPRESENTATIVE

Keith MacVean and Jeff Brown, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 36.

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to density and parking.

Plan Consistency

The petition is inconsistent with the *East District Plan*, which recommends office and retail uses for the site. The site does not meet the *General Development Policies* criteria for more than 17 units per acre.

Rationale for Recommendation

- The proposed multi-family use fits in with the context of the surrounding area, and is less intense than the potential nonresidential/retail development that could occur under the current zoning and adopted future land use.
- The area plan recommends office and retail uses for the site, and the proposed density of 20.68 units is higher than the *General Development Policies* recommendation for 17 units per acre.
- However, the proposed multi-family development will provide a

transition between the existing nonresidential uses to the north and west and the existing multi-family uses to the south.

- The site plan commits to a public street providing future access to abutting nonresidential property, and provides a pedestrian network, and open space.
- In addition, the request commits to architectural details such as building orientation, façade standards, and roof types along with other design standards that are compatible with the surrounding multi-family development.

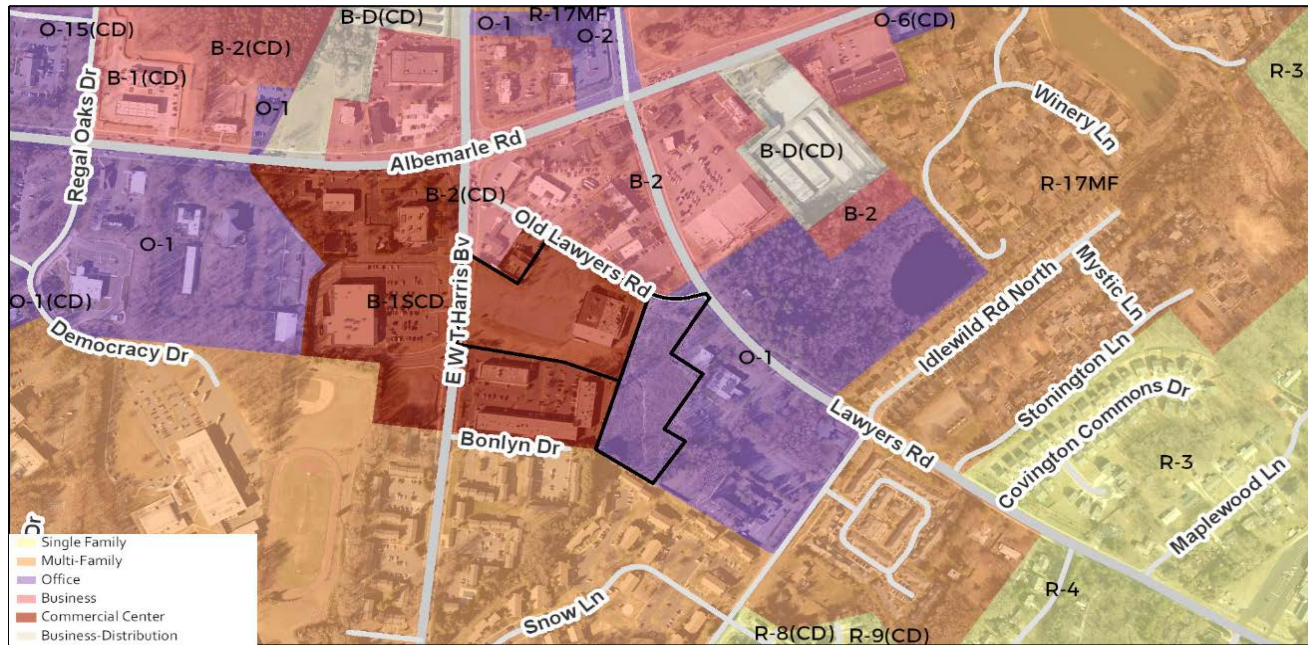
PLANNING STAFF REVIEW

• **Proposed Request Details**

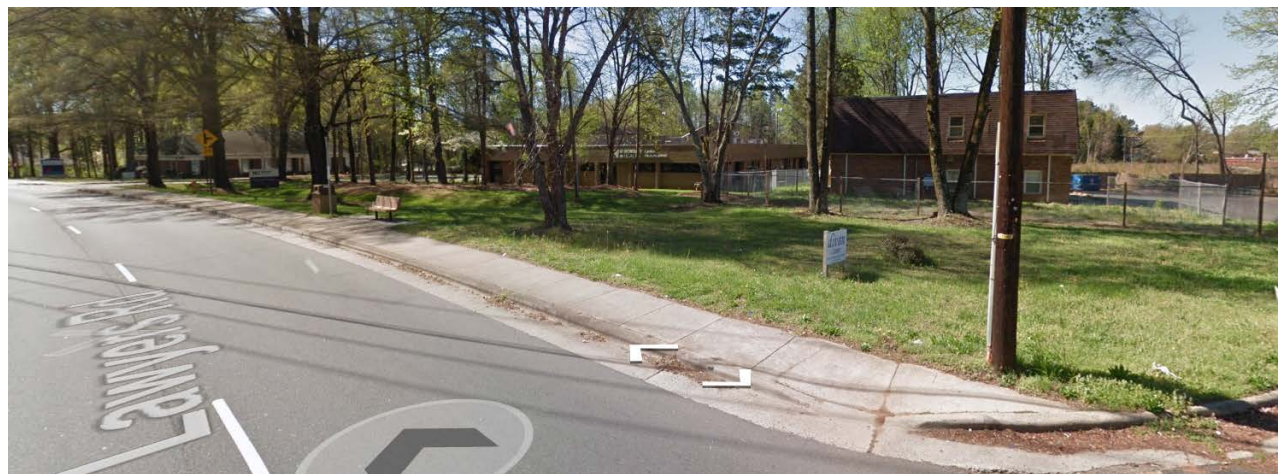
The site plan accompanying this petition contains the following provisions:

- Maximum of 180 multi-family dwelling units, in up to 12 buildings
- Maximum building height limited to three stories.
- Site access via driveways to East W. T. Harris Boulevard and Old Lawyers Road, with a future connection to abutting property to the south.
- An eight-inch planting strip and 12-inch multi-use trail will be installed along the project frontage on East W. T. Harris Boulevard.
- Building setback of 24 feet from back-of-curb on East W. T. Harris Boulevard, and 20 feet from back-of-curb on Old Lawyers Road.
- A minimum 20% of the façade facing East W. T. Harris Boulevard and Old Lawyers Road shall be comprised of brick, natural or synthetic stone, or stucco.
- Vinyl and aluminum may only be used on windows, soffits, canopies, door trim, and handrails/railings. Concrete masonry units not architecturally finished are prohibited as a building material.
- Buildings shall be placed to present a front or side façade to East W. T. Harris Boulevard, Old Lawyers Road, and the internal public street.
- Buildings shall front a minimum of 50% of the total East W. T. Harris Boulevard, Old Lawyers Road, and the internal public street on the site.
- Parking lots shall not be located between any building and East W. T. Harris Boulevard or Old Lawyers Road. Parallel or angled parking will be allowed between the proposed buildings and the existing and proposed public streets.
- Buildings exceeding 135 feet in length shall include modulations of the building massing/façade plane, which shall be a minimum of 10 feet wide and shall project or recess a minimum of four feet extending through the building.
- Roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure, and a minimum roof pitch of 4:12 will be provided.
- Buildings shall be designed with vertical bays or articulated architectural façade features, a recognizable architectural base on all facades facing East W. T. Harris Boulevard, Old Lawyers Road and the internal public street, and building elevations facing the aforementioned streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features.
- Service areas shall be screened, with a minimum 20% preferred exterior building materials or a Class B buffer not less than 10 feet in depth.
- Sidewalk extensions should be provided between all street trees on all public and private streets when parking is adjacent.

• Existing Zoning and Land Use



The eastern portion of the site is vacant and the western portion is developed with a vacant commercial building.



There are office uses east of the site along Lawyers Road.

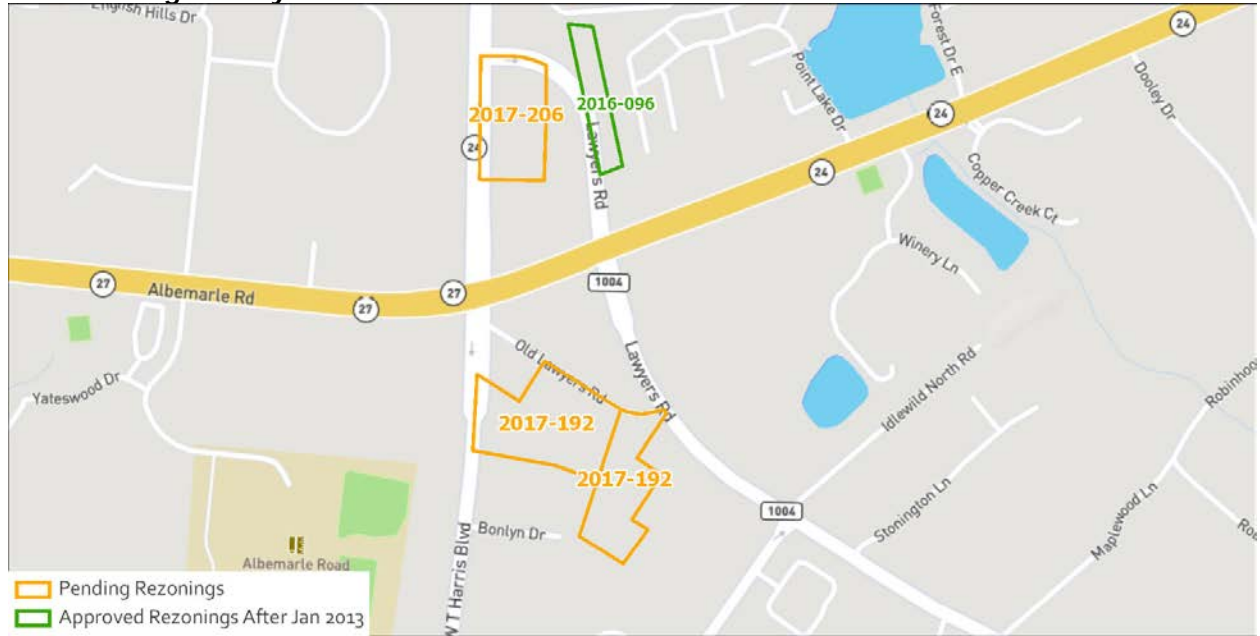


Parcels north of the site, across Old Lawyers Road and along Lawyers Road are developed with commercial uses.



Abutting the subject site and east of the site across East W. T. Harris Boulevard are commercial uses including a sports bar, tire shop and neighborhood Walmart.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-206	Approximately 1.6 acres located on the east side of East W.T. Harris Boulevard, north of Albemarle Road from R-17MF to B-2(CD) to allow car washes, fuel sales, banks, office, retail and eating/drinking /entertainment establishment uses.	Pending
2016-96	Approximately 1.52 acres located on the east side of Lawyers Road and East W.T. Harris Boulevard from R-17MF to O-2 to allow all uses permitted in the O-2 district.	Pending

• **Public Plans and Policies**



- The *East District Plan* (1990) recommends office and retail uses.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to 17 dwellings per acre as illustrated in the table below, but not for the 20.68 dwellings per acre as proposed.

Assessment Criteria	Density Category – up to 17 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	3
Connectivity Analysis	3
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
Minimum Points Needed: 13	Total Points: 13

• **TRANSPORTATION CONSIDERATIONS**

- The site is located on a major thoroughfare. The site plan commits to constructing a 12-foot multi-use path along the site’s W.T. Harris frontage and expanding the local street network by connecting to street stubs and developing internal streets. CDOT is requesting that the petitioner coordinate with CATS to review location of bus stop.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 400 trips per day (based on 97,500 square feet of warehouse, 1,800 square feet of office and 1 single family dwelling).
 - Entitlements: 2,210 trips per day (based on 264 multi-family dwellings and 43 single family dwellings).
 - Proposed Zoning: 1,870 trips per day (based on 288 multi-family dwelling units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues. (The Department of Housing and Neighborhood Services memo indicates that the proposed units will be affordable, however, there is no commitment to this on the conditional site plan.)
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 15 students, while the development allowed under the proposed zoning will produce 66 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 51 students.
 - The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Albemarle Road Elementary from 161% to 166%
 - Albemarle Road Middle from 107% to 108%
 - Independence High from 129% to 130%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing eight-inch water distribution mains located along W.T. Harris Boulevard and along Old Lawyers Road. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. A Willingness to Serve application has been received and currently under review. Correspondence will be maintained with the applicant.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be planted in nor removed from the right-of-way of E. W.T. Harris Boulevard and Old Lawyers Road without permission of the City Arborist’s office. The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way; City Council approval of the rezoning site plan does not confirm or imply authorization by the City Arborist to remove any tree located in a public street right-of-way. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESSite and Building Design

1. Reduce the dens to 17 dwelling units per acre or less.

Site and Building Design

2. Provide angled parking instead of head-in parking at the site's entrance on East W.T. Harris Boulevard.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Department of Solid Waste Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327